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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,906	06/14/2001	Isamu Haneda	1907-0200P	5548
2292	7590	08/24/2006	EXAMINER FLETCHER, JAMES A	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			ART UNIT 2621	PAPER NUMBER

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,906

Applicant(s)

HANEDA ET AL.

Examiner

James A. Fletcher

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/14/01</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2621

DETAILED ACTION

New Art Unit

1. Please include the new Art Unit 2621 in the caption or heading of any written or facsimile communication submitted after this Office Action because the examiner, who was assigned to Art Unit 2616, will be assigned to new Art Unit 2621. Your cooperation in this matter will assist in the timely processing of the submission and is appreciated by the Office.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

TTG
8/17/06

3. Claims 2, ^{3/2}~~2~~3, and ^{4/2}~~2~~4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In particular, claim 2 describes storing the actual time of the portable information terminal on the memory card, and using that stored time to update the television program recording device. Memory cards, as understood by those of skill in the art, are static storage devices, and therefore the time stored on the card would be a static value and useless for updating a dynamically changing value like the time of day. In order to have value in updating the television program recording device, the memory

card would have to include a time-of-day clock itself, which is neither known in the prior art nor disclosed in the specification.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakajima et al (6,556,768).

Regarding claim 1, Nakajima et al disclose a television program recording method comprising: using a portable information terminal for obtaining television program reservation information (Col 11, lines 27-30 “a reader/writer 21...is connected to a personal computer...allowing the PC61 to...write data...to a memory card 1 mounted on a cassette”) from an Internet, an electronic mail or directly entered by a user (Col 21, lines 46-47 “a video-recording reservation etc. is made by the user by utilizing a screen such as the EPG”), recording the television program reservation information on a memory card inserted in the portable information terminal (Col 11, lines 27-30 “a reader/writer 21...is connected to a personal computer...allowing the PC61 to...write data...to a memory card 1 mounted on a cassette”); and

- using a television program recording device having a card slot for loading the memory card with information recorded by the portable information terminal, wherein the device automatically recognizes the insertion of the memory card

(Col 12, lines 45-49 "Informed by the signal from the switch 94 that a cassette 100 has been inserted into the compartment 93, the microcomputer 95 operates the antenna 22-1 to establish communication with the cassette 100 inserted into the compartment 93 through the antenna 22-1"), analyzes the information written on the memory card, and, if the information contains the television program reservation information, sets a timer to one of starting times of the television program reservation information, which is nearest to the actual time, to record the timer set program (Col 15, lines 39-43 "If the information on a timer-based video-recording reservation is found valid, the microcomputer 95 sets the information in a timer circuit not shown in the figure, putting the VTR 41 in a video-recording reservation state").

Regarding claim 5, Nakajima et al disclose a television program recording device comprising a card slot for inserting a memory card with television program reservation information written thereon by a portable information terminal (Col 11, lines 27-30 "a reader/writer 21...is connected to a personal computer...allowing the PC61 to...write data...to a memory card 1 mounted on a cassette"),

- a means for automatically recognizing the insertion of the memory card into the card slot and analyzing the information written on the memory card (Col 12, lines 45-49 "Informed by the signal from the switch 94 that a cassette 100 has been inserted into the compartment 93, the microcomputer 95 operates the antenna 22-1 to establish communication with the cassette 100 inserted into the compartment 93 through the antenna 22-1"),

- a means for setting a timer to one of start times of the television program reservation information, said time being closest to the actual time based on the analysis of the information written on the memory card, and a means for recording the timer set television program on the inserted memory card at the time set on the timer (Col 15, lines 36-43 "The microcomputer 95 employed in the VTR 41 reads in the information on a timer-based video-recording reservation through the reader/writer 21, comparing the information with the present time and date. If the information on a timer-based video-recording reservation is found valid, the microcomputer 95 sets the information in a timer circuit not shown in the figure, putting the VTR 41 in a video-recording reservation state").

Regarding claim 7, Nakajima et al disclose a television program recording device, wherein a display portion is provided for automatically displaying the actual time and timer setting information containing date, hour and minute information, and program title information on completion of the timer setting (Col 11, lines 1-3 "The data read out from the memory card 1 is then supplied to the television receiver 42 to be displayed on a screen thereof").

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3/1, 4/1, 6 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima et al as applied to claims above, and further in view of Suzuki (6,871,009).

Regarding claim 3/1, Nakajima et al disclose recording several items of data on a memory card (Col 13, lines 23-26 "the storage area of the memory card 1 comprises a card data area, a video-recording-reservation data area, a program-reproduction data area and an event data area" and Col 11, lines 27-30 "a reader/writer...is connected to a personal computer...allowing the PC61 to read out...data from...a memory card 1 mounted on a cassette 100"), but record television programs on a separate storage device attached to the memory card.

Suzuki teaches a television program reproducing method capable of reproducing a television program recorded on the memory card (Col 17, lines 45-46 "A desired image can be selected and displayed in a large size on the TV 4, or a slide show in which multiple images are sequentially displayed can be enjoyed" and Col 11, lines 48-52 "To reproduce sounds, the CPU 5 outputs a signal 18 having already been converted from digital form to analog form, and the signal 18 can be listened to as an audio signal 20 through the TV 4").

As suggested by Nakajima and taught by Suzuki, playback of sequential images with sound from a memory card is well known and commercially available, providing the user with a means of watching a television program of his or her choosing at a time also of his or her choosing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakajima et al to include playback of video material from the memory card.

Regarding claim 4/1, Nakajima et al disclose a portable information terminal, comprising a means for writing television reservation program information on a memory card (Col 11, lines 27-30 "a reader/writer 21...is connected to a personal computer...allowing the PC61 to...write data...to a memory card 1 mounted on a cassette"), said information obtained from an Internet or an electronic mail or directly entered by a user (Col 21, lines 46-47 "a video-recording reservation etc. is made by the user by utilizing a screen such as the EPG"), and a means for reproducing a television program (Col 11, lines 27-30 "a reader/writer...is connected to a personal computer...allowing the PC61 to read out...data from...a memory card 1 mounted on a cassette 100"), which has been recorded on the memory card by a television program recording device (Col 13, lines 23-26 "the storage area of the memory card 1 comprises a card data area, a video-recording-reservation data area, a program-reproduction data area and an event data area").

Regarding claim 6 and 8-12, Nakajima et al suggest a television program recording device, wherein LED indicators are provided and light to indicate various status conditions of the recorder (Fig. 4, VTR 41), but does not explicitly disclose flashing those indicators during specific conditions.

Suzuki teaches the use of a steady light to indicate a valid status and a flashing light to indicate an error status (Col 12, lines 33-34 "a built-in LED 40 which is lighted

when a main poser is inputted” and Col 13, lines 3-5 “If there is some error during the process, or if a user is required to execute some process, a message LED 43 is flashed on and off”).

As suggested by Nakajima et al and taught by Suzuki, the use of LEDs to indicate various status conditions is well known and widely used. Further, the examiner takes official notice that the use of steady and flashing LEDs to indicate various status conditions or operations is notoriously well known, and any specific use thereof is a design choice and not deemed patentably distinct.

Therefore, it would have been obvious to those of ordinary skill in the art at the time of the invention to modify Nakajima et al in order to provide LED indications, either steady or flashing, to inform the user of various status conditions or operations.

Further regarding claim 8, Nakajima et al disclose a television program recording device, wherein;

- when the actual time coincides with the time set on the timer, starts recording a reserved television program (Fig. 15, step S15 “Wait for the reserved video recording”),
- clears off the timer setting information on the display portion (Fig.15, step S13 “Is the program data valid?”),
- informs the completion of recording the program (Col 16, lines 6-16 disclose the recording length, which informs the recorder of the end of the recording),

- examines whether another program reservation information, and, if the information is found, sets the timer to the program start time (Fig 15, step S15 "Wait for the reserved video recording").

Nakajima discloses recording a reserved television program on an integrated multiple media storage device (), but does not specifically disclose the storage of video on a memory card.

Suzuki teaches the recording of image sequences and audio on a solid state memory card ().

As suggested by Nakajima and taught by Suzuki, recording of video on memory cards is a well known and commercially available, providing the user with a means of watching a television program of his or her choosing at a time also of his or her choosing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakajima et al to include playback of video material from the memory card.

Further regarding claim 9, Nakajima et al disclose a television program recording device, wherein in the event of prohibiting recording on the memory card or in the event of shortage in capacity of the memory card while recording the program thereon, the device stops the recording (Col 15, lines 54-55 "Information on protection [RP] indicating whether or not a write operation is inhibited").

Further regarding claim 10, Nakajima et al are silent regarding the event of absence of an input image at the beginning or in the course of recording the reserved program.

The Examiner takes official notice that the absence of a signal to record is a notoriously well known reason for failure to record a signal, being a failure mode preventing the recording of a desired program signal by the user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakajima to include cessation or suspension of recording in the case of a loss of input signal.

Regarding claim 12, Nakajima et al are silent regarding the event of removal of the memory card from the card slot during the recording operation.

The Examiner takes official notice that the removal of a recording medium from a recording device is a notoriously well known reason for failure to record a program, being a failure mode preventing the recording of a desired program signal by the user.

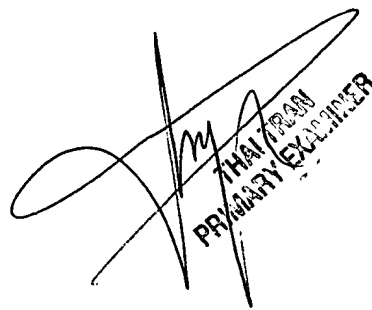
Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nakajima et al in order to cancel recording of a program upon the removal of the recording medium.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (571) 272-7377. The examiner can normally be reached on 7:45-5:45 M-Th, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JAF
16 August 2006



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